

STATE OF NEW YORK

4677--B

Cal. No. 127

2025-2026 Regular Sessions

IN ASSEMBLY

February 4, 2025

Introduced by M. of A. JACKSON, WEPRIN, ZINERMAN, LEE -- read once and referred to the Committee on Insurance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- ordered to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the insurance law, in relation to requiring insurance coverage for lactation support services

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph 10 of subsection (i) of section 3216 of the
2 insurance law is amended by adding a new subparagraph (D) to read as
3 follows:

4 (D) (i) Coverage provided under this subparagraph shall include outpa-
5 tient coverage for comprehensive lactation support services, including
6 services provided by a lactation consultant. Such coverage may be
7 subject to annual deductibles, coinsurance, and copayments as may be
8 deemed appropriate by the superintendent and as are consistent with
9 those established for other benefits within a given policy, unless
10 comprehensive lactation support services has in effect a rating of 'A'
11 or 'B' in the current recommendations of the United States preventive
12 services task force or as provided for in comprehensive guidelines
13 supported by the health resources and services administration.

14 (ii) Nothing in this subparagraph shall be construed to prevent the
15 medical management or utilization review of the services or prevent a
16 policy from requiring that services be provided through a network of
17 participating providers.

18 (iii) For purposes of this subparagraph, "lactation consultant" means
19 a health care professional licensed under title eight of the education
20 law who holds the international board certified lactation consultant
21 (IBCLC) credential and is in good standing with the international board
22 of lactation consultant examiners, who evaluates and manages lactation

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD03999-05-6

1 and infant feeding problems and provides preventive clinical consulting
2 to prevent or minimize the occurrence of potential problems.

3 § 2. Paragraph 5 of subsection (k) of section 3221 of the insurance
4 law is amended by adding a new subparagraph (C) to read as follows:

5 (C) (i) Coverage provided under this subparagraph shall include outpa-
6 tient coverage for comprehensive lactation support services, including
7 services provided by a lactation consultant. Such coverage may be
8 subject to annual deductibles, coinsurance, and copayments as may be
9 deemed appropriate by the superintendent and as are consistent with
10 those established for other benefits within a given policy, unless
11 comprehensive lactation support services has in effect a rating of 'A'
12 or 'B' in the current recommendations of the United States preventive
13 services task force or as provided for in comprehensive guidelines
14 supported by the health resources and services administration.

15 (ii) Nothing in this subparagraph shall be construed to prevent the
16 medical management or utilization review of the services or prevent a
17 policy from requiring that services be provided through a network of
18 participating providers.

19 (iii) For purposes of this subparagraph, "lactation consultant" means
20 a health care professional licensed under title eight of the education
21 law who holds the international board certified lactation consultant
22 (IBCLC) credential and is in good standing with the international board
23 of lactation consultant examiners, who evaluates and manages lactation
24 and infant feeding problems and provides preventive clinical consulting
25 to prevent or minimize the occurrence of potential problems.

26 § 3. Subsection (c) of section 4303 of the insurance law is amended by
27 adding a new paragraph 3 to read as follows:

28 (3) (A) Coverage provided under this paragraph shall include outpa-
29 tient coverage for comprehensive lactation support services, including
30 services provided by a lactation consultant. Such coverage may be
31 subject to annual deductibles, coinsurance, and copayments as may be
32 deemed appropriate by the superintendent and as are consistent with
33 those established for other benefits within a given policy, unless
34 comprehensive lactation support services has in effect a rating of 'A'
35 or 'B' in the current recommendations of the United States preventive
36 services task force or as provided for in comprehensive guidelines
37 supported by the health resources and services administration.

38 (B) Nothing in this paragraph shall be construed to prevent the
39 medical management or utilization review of the services or prevent a
40 contract from requiring that services be provided through a network of
41 participating providers.

42 (C) For purposes of this paragraph, "lactation consultant" means a
43 health care professional licensed under title eight of the education law
44 who holds the international board certified lactation consultant (IBCLC)
45 credential and is in good standing with the international board of
46 lactation consultant examiners, who evaluates and manages lactation and
47 infant feeding problems and provides preventive clinical consulting to
48 prevent or minimize the occurrence of potential problems.

49 § 4. This act shall take effect on January 1, 2028 and shall apply to
50 any policy or contract issued, renewed, modified, altered or amended on
51 or after such effective date.